

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36520 of 2020

Arising Out of PS. Case No.-486 Year-2020 Thana- MUFFASIL District- West Champaran

Paltu Patel Son Of Sri Gopi Patel Resident Of Village - Dusaiya Tola, P.S. -
Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioner and learned APP for
the State through virtual mode.

Counsel for the petitioner is directed to remove the defect(s), as
pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in a case registered
under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3 liters wine is recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The name of
the petitioner has come on the basis of disclosure made by the local
residents as per F.I.R. The name of local residents, who have named
the petitioner, has not been disclosed by the prosecution. Except for
this, there is no other substantive evidence to suggest the implication
of the petitioner in this case. It is alleged that 3 liters wine is



recovered from the container thrown on street. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, West Champaran at Bettiah in connection with Bettiah Muffasil P.S. case No.486 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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